

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

Brit Augborne, III

Plaintiff,

v.

Warden Byrns, et al.,

Defendants.

Case No. 2:18-cv-02379-GMN-DJA

Order

Plaintiff Brit Augborne was an inmate at the High Desert State Prison before his release on March 14, 2022.¹ On March 1, 2022—two weeks before Plaintiff’s release—the Court set a settlement conference to be held between Plaintiff and Defendants Warden Byrns and Warden Gettier. (ECF No. 32). On March 8, 2022, the Court issued a minute order, noting that Plaintiff was due to be released and ordering Plaintiff to file a notice with the Court on or before April 8, 2022 indicating whether he intended to attend the settlement conference. (ECF No. 33). The Court did not hear from Plaintiff. Plaintiff did not appear at the settlement conference on April 14, 2022. It is unclear whether Plaintiff received the Court’s minute order and order setting the settlement conference.

In a separate case—2:20-cv-00295-ART-VCF *Augborne v. HDSP, et al.*—Plaintiff had filed a notice of change of address on March 8, 2022. (ECF No. 20). In his notice, Plaintiff asserts that he was set to be released on March 7, 2022 and provided his new address.² (*Id.*). He also requested that the notice of change of address be applied to all his pending cases. (*Id.*). It is unclear from the docket whether Plaintiff has been receiving documents at his new address.

¹ Defendants represented at the April 14, 2022 settlement conference that Plaintiff had been released on March 14, 2022.

² It appears that Plaintiff’s release was then delayed.

1 Because it is unclear whether Plaintiff has been receiving Court documents, the Court thus orders
2 Plaintiff to show cause why the Court should not recommend that his case be dismissed for his
3 failure to appear under Local Rule IA 11-8(a) or failure to prosecute his case under Federal Rule
4 of Civil Procedure 41(b). Plaintiff must file an explanation with the Court responding to the
5 below points on or before **Thursday, May 5, 2022**:

- 6
- 7 1. Whether Plaintiff received ECF Nos. 27-33 in the above captioned case.
- 8 2. If Plaintiff did receive ECF Nos. 27-33 in the above captioned case, why he did not
- 9 respond or appear at the April 14, 2022 settlement conference.
- 10 3. If Plaintiff did not receive ECF Nos. 27-33 in the above captioned case, why he
- 11 believes he did not receive these documents.
- 12 4. Whether the address Plaintiff provided in ECF No. 20 in 2:20-cv-00295-ART-VCF
- 13 *Augborne v. HDSP, et al.* is his current correct address.
- 14

15 **IT IS THEREFORE ORDERED** that Plaintiff must file an explanation with responses
16 to the above questions on or before **Thursday, May 5, 2022**. If Plaintiff does not respond by this
17 date or does not show good cause for his failure to appear at the April 14, 2022 hearing, the Court
18 will recommend dismissal of this action. The Clerk of Court is kindly directed to mail a copy of
19 this order, along with copies of ECF Nos. 27-33 to Plaintiff at the below address.

20 **Brit Augborne, III**
21 2920 W. 141 Place
22 Gardena, CA 90249

23 DATED: April 14, 2022

24 
25 DANIEL J. ALBREGTS
26 UNITED STATES MAGISTRATE JUDGE
27
28